that can befall any man just at present

thousands of poor people all over the country who have found their confidence shaken in the provision which they have made for their families and for their old age by putting the savings of years in this society, but the loss of confidence thereby created affects the whole insurance business of the country and weakens that great tendency for

country and weakens that great tendency for

the promotion of thrift and providence.

"Your success in your new position will mean not only a great achievement for you,

"Incidentally it seems to me that what

has occurred furnishes another argument for effective supervision by the national Government, if such supervision can be

obtained, over all these great insurance corporations which do an interstate busi-

"Hon. Paul Morton, Chairman Beard of Directors Equitable Life Assurance Society, New York, N. Y."

BOWERY GOT A SHOCK. E. H. McDonald Secreted by Gas Explosion

in Rasement of His Restaurant.

Edward H. McDonald, who for many

years has kept the hotel and restaurant

bearing his name at 304 Bowery, was pain-

fully burned last evening by an explosion of

A leakage of gas was noticed by the em-

ployees of the restaurant during the after-

noon, but it was supposed that the odos

pink, staggered out of the basement.

The police called an ambulance and the Fire Department, and while the former took care of McD hald the latter continued the search for the leak. They had just located it when men from the gas company arrived and shut off the gas.

There was no fire damage except to McDenald. There was a huge Bowery crowd on hand that it took the police re-

ANDREW ONDERDONK DEAD.

Well Known Contractor-Was Building

the East River Tunnel.

Andrew Onderdonk, general manager

of the New York Tunnel Company, which

is building the tunnel under the East River

at South Ferry, died vesterday in his summer

home, Oscawana, on the Hudson, after

a lingering illness resulting from overwork

He was born in this city 56 years ago,

America and then returned to this country

to construct nine miles of tunnel for the

In connection with the Union Bridge

Company he built the Northwestern Ele-

vated Railway in Chicago and got a con-tract for four dections of the Soulange Canal in Canada. Of late years two of his

largest contracts were the dredging for

the new Ambrose channel and a part in-terest in the construction of the Jerome

Mr. Oncerdonk was a bloder for the first subway contract, but his estimate was above that submitted by John B McDonald, who got the job. Mr. Onderdonk then went after the contract for the Brooklyn connection and got the job to build the East hiver tunnel, one of the most difficult

pieces of construction ever attempted by a contractor. After getting the contract he organized the New York Tunnel Com-

pany to do the work.

Mr. Onderdonk leaves a widow, two daughters and two sons. He was a member of the Rideau Club of Ottawa, the Met-

ropolitan, New York and Ardsley Country

E. CLARENCE MURPHY DEAD.

Long a Picturesque Figure in the Political

Life of Brooklyn.

E. Clarence Murphy, long a picturesque

figure in Brooklyn politics, who had served

as a Supervisor, Alderman and civil justice,

died on Tuesday night, after a long illness,

at his home, 1080 Pacific street, in his fiftyeighth year. He was born in New York,

moving when a boy to Brooklyn with his

parents, and locating in the old Ninth ward.

which was the scene of his stirring political

His rapid advancement in the Demo-

cratic organization in his district was

due largely to the support of his associates

in the volunteer fire department, in which he had considerable influence. He was

a member of the Democratic county committee for seventeen years, and it was during this period that he served as Super-

during this period that he served as Supervisor, Alderman and civil justice. He was frequently a delegate to State conventions and once to a national convention.

Seven or eight years ago he lost his poserved the brough a kick with the Wil-

litical pull through a kick with the Wil-loughby Street managers and became a free lance. His devotion to politics re-sulted in the loss of a lucrative business in

which he had been engaged, and two years ago he was forced to accept a minor job

Obliuary Notes.

Word was received in Newark vesterday that Nathan T. Bolles, one of the representa-

tives of a wealthy family in that city, had died

at Wiesbaden, Germany, where he was stay-

at Mesoaden, Germany, where he was staying with an invalid daughter. Mr. Bolles was born in Newark in 1820, and after leaving school was employed in the Chatham National Bank of this city until President Tyler appointed him to a post in the Custom House. He retired from active business in 1864 and went abroad in 1878. His son, Edgar T. Bolles, lives in Elgin, Ill.

ves in Elgin, Ill.

The Rev. Rufus Millspaugh Stanbrough, retired minister of the Reformed Dutch hurch, died at his home, Kingston, N. Y., esterday at the age of 73 years. He was a traduate of the Brunswick Theological Semi-

Sheffield Going to See the Governor.

James R. Sheffield, who was appointed

by Gov. Higgins to be chairman of the State Gas Commission, will go to Albany either to-day or to-morrow to confer with Gov. Higgins. He is not prepared to say whether or not he will take the job.

in the Comptroller's office.

activities.

Mr. Onderdonk was a bidder for the

and a general breakdown.

drainage system in Chicago.

came from the street. About 6 o'clock

ness.
"With earnest good wishes.

illuminating gas.

the leak.

SPLIT ON MORTON

why Harmon and Judson Quit in the Santa Fe Case.

ROOSEVELT BACKS MOODY.

Likewise Favors Federal Control of Insurance Companies.

The President Takes Occasion, in Approving Morton's Course in the Rebate Matter, to Express Confidence in His the Evidence Warrants-Morton Explains His Part in Santa Fe Affair -He'd Ordered That Injunction Be obeyed, but Subordinates Falled Him.

WASHINGTON, June 21 .- A new chapter in the Atchison scandal was furnished today when the complete correspondence between the Attorney-General and the special counsel for the Government in the oposed proceedings against the Atchison, Topeka and Santa Fé Railroad Company was given out at the White House. It appears from this correspondence that the resignations of the special counsel, ex-Attorney-General Judson Harmon and Frederick N. Judson, were accepted on

Among other interesting things the correspondence shows that the precise point of difference which caused the rupture between the Administration and its special counsel was that Messrs. Harmon and Judson advised the criminal prosecution of the Atchison's officers, including Paul Morton. the former vice-president of the company, while the President and the Attorney-General ruled that the company only, and not its officers, should be prosecuted.

In the remarkable exhibit made public at the White House to-day appears not only the correspondence between Attorney (eperal Moody and Messrs. Harmon and udson, but letters which passed between the President and Mr. Moody, a long statement from Paul Morton in which he at last speaks out plainly in regard to the alleged Atchison rebates, and a long letter from the President to Mr. Morton, in which Mr. Roosetelt discusses both the Atchison rebate case and the Equitable Life Assurance Society. There is apparently no connection between the Equitable controversy and the railroad case, which occupies the chief place in the volume of correspondence, but the President talks about it freely and concludes with the opinion that life insurance companies should be brought under the supervision of the Federal Gov-

THE CASE AGAINST THE SANTA PÉ. The date of the first letter is Feb. 28. This

letter was addressed to the Attorney-General by Messrs. Harmon and Judson and it gave the opinion that the report of the Interstate Commerce Commission in the alleged unlawful rates and practises in the transportation of coal and mine supplies by the Atchison, Topeka and Santa Fé was fully sustained by the evidence. The special counsel reported that from August, 1902, until December, 1904, the railway comcany "continuously transported coal for the Colorado Fuel and Iron Company at less than the published rates then in force from various points in Colorado and elsewhere to El Paso, Tex., Deming, N. M., and other places, to which such transportation was interstate commerce."

The report of counsel was, furthermore, that the special transportation was effected by means of "a secret arrangement between the two companies under which the coal was apparently billed at the published rate of freight, although in fact the price of the coal was included."

This letter refers to the order of the Circuit Court for the Western District of Missouri in March, 1902, enjoining the Atchison company and its officers from executing any agreement to transport any interstate traffic at other than the published rates, and recommends that the Atchison company and all its principal officers and agents who had, during the period above named or any part thereof, power and authority over traffic agreements and freight rates, be arraigned for contempt of court. Mr. Moody cautioned them against proceeding hastily and finally advised that action be taken against the company without including the officers. The counsel then wrote, pointing out that the individuals in charge of the company were really the ones guilty of violating the Court's order. Attorney-General Moody replied to this etter on May 19, and freely expressed his

"I have examined this report and a transcript of the testimony taken by the commission. I do not find any testimony relating to the conduct of any except minor officials and Mr. Biddle, who may claim to have obtained immunity by testifying fully before the commission. For instance, to be specific, there is not a syllable of testimony that Mr. Ripley, the president of the road or Mr. Morton, then one of its vice-presidents, had any connection whatever with the departure from the published rates in favor of the Colorado Fuel and Iron Company, or that they knew or susthat transportation was furnished to this company in any manner different from that prescribed by the open and pub-

"After great consideration, I am of the opinion that some evidence ought to pre-cede the accusation and that an accusation to grave in its character ought not to be made unless there appears before it is made some evidence in support of it.
I have submitted the foregoing to the

Thave submitted the foregoing to the President and he authorizes me to say that he approves the conclusion which I have reached and directs that proceedings for contempt of the injunction be begun against the rail the railroad company only.

HARMON AND JUDSON QUIT. Messrs. Harmon and Judson, writing from Cincinnati on June 5, reiterated their from Cincinnati on June 5, reiterated their opinion that the officers were prima facie will to disobedience. They concluded:
"What we have said is peculiarly true of the great corporations of our day. They cannot be imprisoned, and punishment by fine is not only inadequate but reaches the real culprits only lightly, if at all. The evils with which we are now confronted are corporate in name but individual in fact. Guilt is always personal. So long fact. Guilt is always personal. So long as officials can hide behind their corpora-tions no remedy can be effective. When tions no remedy can be effective. When the Government searches out the guilty

sense of official responsibility which you express. But the nature and circumstances of our appointment impose a certain independent responsibility upon us which we feel would not be met by a proceeding against the corporation alone.

"We therefore consider that we have now discharged the duty which you did us the honor to entrust to us."

now discharged the duty which you did us the honor to entrust to us."

In his reply on June 13 Mr. Moody expresses regret that they have been obliged to differ in regard to the method of procedure, and he accepts the resignations of Messrs. Harmon and Judson. Mr. Moody declares that while the report of the Interstate Commerce Commission was "doubtless adequate for its purposes," it "was insufficient for the purposes of the Department of Justice."

MOODY TELLS THE PRESIDENT.

The next letter in the series, as given out to-day, is dated June 3 and was addressed to the President by the Attorney-General. In it he reviews the whole case

and adds:

"But I do not believe that proceedings ought to be begun against officers of the corporation until some evidence is forthcoming that they did, either by act or connivance, have some relation to the guilty conduct. Mr. Ripley was the president of the railway company during all the time the transactions referred to occurred, and Mr. Morton, a member of your Cabinet, during a part of the time was one of its vice-presidents, and among his duties was the management of the freight traffic of the system.

I do not find a scintilla of evidence taken before the Interstate Commerce Commis-sion which tends to show that either of these officials had the slightest connection with the misconduct complained of or any knowledge whatever of its existence. When it is considered that the gravamen of the offense is the transportation of coal without the publication of the rate at which it was transported, and further considered that the rate schedules of a great railway system are very numerous, it seems to me unjust in the extreme that an accusation of contempt of court should be made in the conof the evidence which I have de-

Mr. Roosevelt's Reply.

On June 12, or the day before the resignations of Messrs. Harmon and Judson were accepted, the President wrote to the Attorney-General, saying:

"I entirely agree with your conclusions. In my opinion you would be wholly without justification in proceeding individually against the officers of the Atchison, Topeka and Santa Fé Railway for contempt when neither the Interstate Commerce Commission nor the special counsel you Commission nor the special counsel you have employed have developed a single fact of any kind beyond the holding of have employed have developed a single fact of any kind beyond the holding of their offices tending to implicate any one of these officers. One of the officers. Mr. Morton, is a member of my Cabinet. This fact is not to be allowed to shield him, nor on the other hand is it to be allowed to cause him to be singled out, or the officers with whom he is associated to be singled out, for attack.

"At about the same time that the injunction was obtained against the Atchison.

tion was obtained against the Atchison, Topeka and Santa Fé an injunction was obtained against several other Western railroads. Subsequently it was developed by the Interstate Commerce Commission that under the guise of a division of rates unlawful rebates were given by these rail-roads to the International Harvester Com-pany, just as a rebate was given by the Atchison in the case of the Colorado Fuel atenson in the case of the Colorado Fuel company. Upon attention being called to the cases by the Interstate Commerce Commission the unlawful practise was abandoned in the Harvester case, as it was abandoned in this case of the Colorado Fuel

The two cases stand precisely on a par. "The two cases stand precisely on a par. No one has suggested, and as far as I am aware, no one has thought of suggesting that we should proceed individually against the officers of the roads engaged in this International Harvester Company affair: yet the case is exactly parallel to this Atchison, Topeka and Santa Fé case, and if such action as you have refused to take was taken against the officers of the Atchison, Topeka and Santa Fé Railroad, it would also have to be taken in the case of the International Harvester Company against the officers of every railroad running west the officers of every railroad running west of Chicago. There is of course no possible excuse for discriminating one case from the other

"You advised me to direct the submission "You advised me to direct the submission of the printed evidence taken by the Interstate Commerce Commission (the only evidence before the special counsel) to Judge Phillips, who had issued the injunction, to see whether on this published evidence, in which there is not a syllable directly bearing on Mr. Morton or any one of his colleagues in the management of the road, action could be taken against any one of them personally.

"I did not take this advice, for two rea-

one of them personally.

"I did not take this advice, for two reasons. First—If it were not for Mr. Morton's being in my Cabinet, neither you nor I would dream of following such a course in this instance; and we could not follow it save on condition of also following it in the case of the Harvester company and in all similar cases—which, in my judgment, would put us in a wholly untenable position.

HAD DENIAL FROM MORTON. "Second—I have received from Mr. Morton a letter, of which I enclose you a copy, together with a copy of my reply. In it you will see that Mr. Morton not only states in the most unequivocal manner that he had no knowledge whatever of the unlawful that a complete of the talker shows by had no knowledge whatever of the unlawful practise complained of, but also shows by the quotation of documents issued under his direction that all such unlawful practises were specifically forbidden by him and that the attention of his subordinates was repeatedly called to the necessity of complying with the law in this respect. When there is thus not one shadow of testimony against him, and when whatever evidence has been submitted shows explicitly that he is not guilty, it seems to me that there is no warrant whatever for our proceeding against him.

warrant whatever that you have followed in him.

"The course that you have followed in dealing with all these corporation matters has been coherent and resolute, and has had my heartiest approval. The aim of the Administration has been in the first place to stop the unlawful practises. We have to proceeded personally against any of to stop the unlawful practises. We have not proceeded personally against any of the officers unless there was legal evidence showing that their conduct had been wilfully He referred to the Interstate Commerce Commission's report, saying:

Showing that the active as to render it our duty to fix to punish them personally no less than to try to put an end to the objectionable

to try to put an end to the objectionable practises.

"You perhaps remember that when the Administration brought the Northern Securities suit there was much criticism of us for not undertaking criminal proceedings against the principal directors in the Northern Securities Corporation. The view of the Administration at that time was that such a proceeding would be unjust to the men concerned and not to the advantage of the public. Events have, I think, shown this view to be correct. In the same way, when a year or two ago injunctions were obtained against the corporations known popularly as the Beef Trust no effort was made at the time to proceed personally against the individuals in those corporations.

"Since then testimony has been offered us to show that the packing companies have violated this injunction and that the violation was deliberate and wilful on the part of a number of individuals. Of the weight and sufficiency of this evidence it is not for me to judge. With my approval the Department of Justice, with the assistance of the Department of Commerce and Labor, has for some months been endeavoring to

of the Department of Commerce and Labor, has for some months been endeavoring to has for some find out whether or not they can obtain legal evidence of such wilful and deliberate violation of the injunction by any in-

dividual.
"If the Grand Jury now sitting in Chicago "If the Grand Jury now sitting in Chicago find indictments against any individuals connected with the packing corporations it will be because in their judgment such legal evidence of the violation of the injunction has been laid before them. If you at any time get legal evidence of any such wilful and deliberate violation by any officer of the Atchison, Topeka and Santa Fé, or of any other railroad running west of Chicago, of the injunction in the Colorado Fuel case or of the injunction in the International Harvester Company case you will of course proceed as you have already proceeded in the Chicago beef packing cases. But at present not only has there been no such evidence produce such evidence in the contract of the such as the contract of the course produced, but there has been no attempt to produce such evidence in the Government searches out the guilty makes corporate wrongdoing makes corporate wrongdoing makes will be obeyed.

Your opinion always commands great respect, which is by no means due to your effice alone, and we appreciate the deep observed to the description of the laws and the deep observed to the description of the laws will be observed.

"My Dear Mr. Morton: I have received your own action concerning the rebates which the Interstate Commerce Commission have found to have been granted by the Atchison. Topeka and Santa Fé Railroad which you do not take against the official of any other."

"My Dear Mr. Morton: I have received your own action concerning the rebates which the Interstate Commerce Commission have found to have been granted by the Atchison. Topeka and Santa Fé Railroad to the Colorado Fuel Company at the time you were the vice-president of the railroad.

railroad under precisely similar circum-

PROCEEDING AGAINST COMPANIES ONLY. "In both this Colorado Fuel case and in the International Harvester case I direct that proceedings for contempt against the com-panies be taken by the Government. Whether, as the cases develop, proceedings against individual officers become necessary must depend in each instance upon whether testimony is obtained showing that such individual officer has either by act or con-nivance been personally guilty in the matter. If there are any tailroads guilty of the practises which we have enjoined other railroads from following but which have not themselves been enjoined, proceedings should be begun to put them under a similar restraint.

Morton's Explanation.

The President enclosed in this letter the etter from Paul Morton. It says:
"My DEAR MR. PRESIDENT: Now that I have tendered and you have accepted my resignation of the position of Secretary of the Navy, I wish to make a statement in regard to the Atchison, Topeka and Santa Fé-Colorado Fuel and Iron Company alleged rebate case which has occupied so much atention and has been made the occasion of so much unjust criticism of the Atchison company's management and of myself.

"The arrangement referred to meet The arrangement and of myself.

"The arrangement referred to was entered into in the year 1901, prior to the time that the restraining orders enjoining the Western railroads from cutting rates or departing from published tariffs were issued, and prior to the passage of the Elkins bill.

were issued, and prior to the passage of the Elkins bill.

"The people chiefly interested in the smelting and mining business of southern Arizona and northern Mexico were large consumers of coal and coke. They were dissatisfied with the quality of coke they were getting from the ovens along the line of the Atchison railroad in Colorado and threatened to use Eastern coke exclusively or build a railroad of their own to coal properties which they might obtain, unless lower prices were made on the coal and coke that they were receiving at El Paso and Deming. These same peo-El Paso and Deming. These same peo-ple were making all sorts of experiments with fuel oil, with the idea of substituting it altogether, if possible, for coal, and they with such good effect that in part they did substitute oil for coal, thereby cutting down the amount of coal con-

sumed.

"All of these things, taken in connection with the undoubted financial ability of the people interested to build additional railroads and develop either coal or oil fields, menaced a traffic worth nearly a million dollars a year to the Atchison system; and solely for the protection of the railroad, so far as its officers were concerned, an understanding was entered into between the railroad, the Colorado Fuel Company and the El Paso and Southwestern people, the terms of which were: sumed restern people, the terms of which were:

"1. The Colorado Fuel Company was to supply the coal at a very low price at the mines in Colorado, \$1.15 per ton. This is all they received for the coal, and there was nothing additional paid them in the way

of a rebate or otherwise.

"2. The railroad comm "2. The railroad company was to haul the coal at a very low rate to El Paso and Deming, the rate being \$2.90 per ton.

The El Paso and Southwestern people were to receive and pay for the coal \$4.05 per ton at El Paso and Deming, and it was be used by the railroad itself and the

"The tariff covering this arrangement was published so as to show the freight rate to be \$4.05 per ton, instead of the delivered price at El Paso and Deming, and did not separate the freight rate from e cost of the coulat the mines, as it should have done. Until the investigation of the case by the Interstate Commerce Comcase by the Interstate Commerce Commission I did not know personally how the matter was being handled so far as the publication of the tariff was concerned. My own connection with the case was to see that the traffic was secured to the Atchison rails, and, after that, details were left to subordinates. Thousands of tariffs are published every year.

NO UNJUST DISCRIMINATION. "When this arrangement was entered into the Colorado Fuel company owned. operated, or controlled as selling agents the coal properties on the Atchison ine in Colorado from the district in which the rate applied, or, in other words, it was the only shipper of coal from that district over the Atchison rails, and there was in no sense any unjust discrimination against

no sense any unjust discrimination against any other Colorado producer. It was a good thing for the coal district and for the State of Colorado, as well as for all other parties interested in the contract.

"The following year, or in 1902, the fnjunctions were issued. I suppose it was not known to you, certainly not to the public generally, that it was the testimony which I gave before the Interstate Commerce Commission on the practises of Western railroads, so far as grain, dressed beef and provisions arrangements were concerned, that made it possible to secure the injunctions.

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ORDERED THE INJUNCTION OBEYED.

ORDERED THE INJUNCTION OBEYED. "When the injunction order was issued by the court positive instructions were given by me verbally to my subordinates to comply in every respect with its terms. These instructions were issued to everyoody concerned, in writing, and are a matter of record, as is my correspondence on the subject, all of which will confirm what

I say.
"When the Elkins bill became a law early became a law early are reiterated." in 1903, all of my instructions were reiterated and the most positive orders issued that under no circumstances or conditions would any deviation from the law he per-

mitted.
"Notwithstanding all of these precautions, the old arrangement of billing the coal and coke at a delivered price, and not separating the freight rates from the price of the commodity in the tariff, was not corrected until some time last November. It was evidently not regarded in the tariff printing bureau as an irregular arrangement, and entirely escaped attention. It might be considered that it was a 'misplaced switch' in that bureau, and neither the president of the railroad nor Mr. Biddle, the freight traffic manager, nor myself, was any more coke at a delivered price, and not separating or the railroad nor sir. Badde, the Fright traffic manager, nor myself, was any more responsible for it personally than is the president or vice-president or general manager of any great railroad for the train manager of any gresult in a bad wreck. All of our orders were carefully considered and carefully issued, but, so far as this particular case is concerned, seem to have been overlooked.

"At the time this contract was made

At the time this contract was made in the I had no interest whatever in the Colorado Fuel and Iron Co. I sold my stock in that company and all its auxiliary companies when I left its employ, before entering the when I left its employ, terore entering the service of the Atchison road in 1895, and have not been a stockholder of it or of any of its subordinate companies since. My only interest in the Colorado Fuel and Iron Co. was to get all the business I could from it for the Atchison, Topeka and Santa Fé Railread Co.

road Co.

"I have been a railroad man for over thirty years and a railroad officer for most of that time, and I have done my utmost to bring alout decent railroad practises. I have always been opposed to relates and all kinds of 'graft' in the business, and I do not believe there is another railroad officer in the Western country who has tried to be fairer in his relations to the tried to be fairer in his relations to the public or more fearless in denouncing and trying to prevent the evils and abuses of railroad management. At the same time I have been just as insistent in demanding that the railroads should have fair play. "Great injustice has also been done in "Great injustice has also been done in the management of the Atchison road in this matter. No railroad in the Western country has more clearly recognized the rights of the public or more definitely de-clared itself at all times in favor of fair trade relations, and no railway in the West has made more of an effort carefully to ob-serve the requirements of the law."

The President's Letter to Morton.

The final exhibit is a letter, dated June 12. The final exhibit is a letter, dated June 12, from the President to Secretary Morton, in which he discusses both the Atchison Railroad case and the Equitable insurance controversy. This letter follows:

"White House,"

WASHINGTON, June 12, 1905.

"My Dear Mr. Morton: I have received your letter of the 5th instant in reference to your own action concerning the rebates which the Interstate Commerce Commission have found to have been granted by the Atchient Topping and Santa Fé Pairced.

Not a shred of testimony, so far as I know, has been presented from any source, whether by the Interstate Commerce Commission or by the special counsel employed by the Department of Justice, which personally

implicates you in granting these rebates.
"In your letter you show not only that you were ignorant of the existence of such rebates, but that you had taken every possible step to see that neither in this case nor in any other were any rebates granted, and you quote documents which show that and you quote documents which show that your subordinates were repeatedly and explicitly warned to obey the law as regards these rebates, as well as in all other respects. With this showing on your part, and in view of the fact that, as I have said, not a shred of testimony has been produced against you from any source whatever, I do not think that you need pay any further heed to the accusations that have been made against you. made against you.

made against you.

"I do not myself need any corroboration of any statement you make; but if I did need it, it would be furnished by the boldness and frankness with which over three years ago, and before any of the proceedings with which we are now dealing took place, you testified to the entire truth in connection with the taking of release from the tion with the taking of rebates from the railroads; and it is deeply discreditable that this testimony should not only now be quoted against you, but with shameless perversion of the truth should be quoted as having been given by you in this case.

REBATE LAW WAS A DEAD LETTER, ANYWAY. "At the time when you gave this testi-mony the Interstate Commerce law in the matter of rebates was practically a dead letter. Every railroad man admitted pri-vately that he paid no heed whatever to it, and the Interstate Commerce Commission and the Interstate Commerce Commission had shown itself absolutely powerless to secure this heed. When I took up the matter and endeavored to enforce obedience to the law on the part of the railroads in the question of rebates I encountered violent opposition from the great bulk of the railroad men and a refusal by all of those to whom I spoke to testify in public to the very state of affairs which they freely admitted to me in private.

admitted to me in private.

"You alone stated that you would do all in your power to break up this system of giving rebates; that you strongly objected to it; but that as long as the law was a dead letter the railroads, which preferred to obey it, were forced to disobey it if they were to continue in business at all, under the competition of their less at all, under the conpetition of their less scrupulous fellows.
I agreed with you cordially that the only
way in which it would be possible to secure
the enforcement of the law would be by
making it effective against all railroads alike, as, if some were allowed to violate it, it necessarily meant that the others in self-protection would be driven to violate it also; and I cannot too heartily commend the fearless and frank way in which you (and you alone) came forward and in the interest of the Government and the public gave legal evidence of the facts which every one in interest privately admitted to exist. but which the Interstate Commerce had previously been unable legally

MORTON DID A PUBLIC SERVICE.

"It was primarily due to this testimony of yours that we were able to put so nearly effective a stop to the system of rebates as it then existed. You rendered a great public service by your testimony. You enabled the Government to accomplish in the interest of the public what it could not otherwise have accomplished, and you showed yourself to be, more than any other railroad man with whom I came in contact, zealous in your endeavor to see that the law should no longer remain a dead the law should no longer remain a dead letter, but that all the railroads alike should be required to obey it. Your manliness and frankness in this matter attracted my particular attention. It showed you to be. particular attention. It showed you to be, in my judgment, a man whose word could be trusted absolutely and whose decision to do full justice and to have it done could likewise be trusted.

"When a vacancy occurred in the Navy

Department I made up my mind that I wished you in my Cabinet—where, permit me to reiterate, you have shown yourself to be one of the most faithful and devoted ublic servants with whom it has ever been my good fortune to be connected. You came in at my urgent request and in spit of your natural reluctance to accept of your natural resultance to accept the very heavy financial loss in which taking the position of Secretary of the Navy necessarily involved you. I certainly would not shield you because you are in my Cabinet; but equally certainly I shall not sanction an attack upon you which I would not dream of sanctioning if you had not become a member of my Cabinet.

EQUITABLE RECENERATION.

*Since I accepted your resignation as ember of my Cabinet you have undera member of my capinet you have not in-taken perhaps the greatest and most im-nortant work now open to any business portant work now open to any business man in assuming control of the Equitable Life Assurance Society. You do not need to be told again the confidence I have in ou and my belief in your absolute sincerity of purpose and your unflinching courage. I know that the mere fact that you have consented thus to take control of the society consented thus to take control of the society means that there will be a genuine attempt to make a new, clean management, a control really and honestly in the interests of the policyholders, and one which will make impossible the crooked and objectionable practises that have hitherto presided in the society. the society.

vailed in the society.

"Ex-President Cleveland, in consenting to act as one of the three trustees to hold he stock of the society and to use the voting power of such stock in the selection of di-rectors, concludes his letter by saying: 'We shall be safer if we regain our old habit of looking at the appropriation to personal uses of property and interests held in trust in the same light as other forms of stealing. In other words, you and Mr. Cleveland intend to see that the affairs of the society are managed not merely with the honesty equisite in order to keep clear of criminal receedings, but with the fine sense of oner which recognizes in the trustee—and noner which recognizes in the trustee—and that is what the man respons ble for the management of any great business corporation is nowadays—the duty of managing his business affairs with a high sense of collisation not only to the ligation not only to the stockholders and the policyholders but to the general public.
"Mr. Cleveland has especially stipulated

that he is to be absolutely free and undis-turbed in the exercise of his judgment; turbed in the exercise of his judgment; you have especially stipulated that you are to be absolutely free and undisturbed in the exercise of your judgment. I have faith not only in your will to do right but in the judgment which will enable you to do right. As I understand it the majority of the stock is to be put in the hands of a board of trustees, of which Mr. Cleveland has accepted the chairmanship, and they will have absolute control, subject, as to the majority of the directors, to the policyholders' instructions, and subject, as to the minority directors to exercising their own judgment without control.

the minority directors to exercising their own judgment without control.

"Your policy will be, I know, to give the policyholders a square deal and to clean house thoroughly. You would not take such a position if you did not have a perfectly free hand and if you were not unhampered by commitments to anybody.

BELIEVES HE WILL SUCCEED. "I do not congratulate you upon entering upon this work, for I do not wish to con-gratulate any man when he puts his harness on, but rather to wait until he takes it off. I do wish to express to you not only

one of the most important public duties

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NEW YORK TELEPHONE CO.

The Oppenheimer Treatment "The scandal which has been so deplorable for the Equitable Life Assurance Society has also had effects far beyond the society itself. Not only is it lamentable to think of the condition of hundreds of

For Alcoholism.

No Detention from Business. No Suffering. No Bad After Effects.

Alcoholic Craving Overcome in Forty-eight Hours.

All Drug Addictions Successfully Treated.

A Special Committee of the Legislature of New York Reported in May, 1905.

mean not only a great achievement for you, but a great achievement for the American public. In business conditions as they are to-day the head of one of these great insurance societies should be regarded as just as emphatically a public servant as if he were occupying any office through the direct vote of the people. He should be held to the same strict accountability if he goes wrong; and he is entitled to the same meed of praise if by deing his duty fearlessly, honestly and intelligently he increases the stability of the business world, raises its meral tone, and puts a premium upon those habits of thrift and saving which are so essential to the welfare of the people as a body. "Recognizing that many of these persons (DEPENDENT INEBRIATES) are suffering from disease, some form of medical treatment should be given. In the judgment of this Committee. the best treatment therefore is that of the Oppenheimer Institute, as it is strongly endorsed and advocated by large numbers of physicians and business and professional men of high standing. national repute and unquestioned authority, the treatment itself being reported as prompt, effect tive and free from certain objections innerent in other systems."

Endorsed by many prominent men and women throughout the world.

Cyrus Edson, M. D., Formerly Health Commissioner of the Port of New York, wrote:

"Thave had a pretty extensive experience with the Oppenheimer treatment, having witnessed its effect in perhaps fifty cases. I consider it of very great value and have yet to see anything but good resulting therefrom. I have noticed no such secondary result, as are frequently seen after other so-called 'cures.' In fact, patients feel better and stronger than before in every way. The treatment seems to act as a general restorative and as a tonic, while absolutely removing desire for the stimulant, either drug or alcoholic."

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LEADING EXPERTS

SMOKY FIREPLACE

DEFECTIVE CHIMNEY

ESTIMATES FURNISHED

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TEL. 2076 GRAHERCY

WALH JACKSON COMPANY

POISON FOR MRS. ROGERS.

Sent to the Prison Superintendent With

Promise of \$2,000 if She Gets It.

this morning Superintendent Lovell of the

State Prison received a letter from Boston

offering him \$2,000 if he would give to Mary

Rogers the powder enclosed in the letter,

which would cause her death. The letter

DEAR SUPERINTENDENT: Since there appears to be little hope for poor Mary Rogers, I feel constrained to make this last appeal to you. Even though this should be the last act of my life, I wish to make the effort to save the State of Vermont and

the effort to save the State of Vermont and all womankind from this impending disgrace. Will you listen and will you act? Arrange for her to take enclosed powder; and it the gallows are cheated next Friday I will mail you the day after two \$1,000 bills (\$2,000), to be sent to you in such a way as to eliminate all suspicion. This is no hoax. Try me and see. Should further details

Try ne and see. Should further details be desired, insert personal in Boston Globe; addressed "Justice."

The letter was mailed, according to the

post office stamp, at the Federal Building, Post office Square. The stamp was "Boston, Mass., June 20, 2:30 P. M." The type-written superscription is "Supt. Lovell, State Prison, Windsor, Vermont (immediate and personal)." The letter was type-written and there was absolutely no clue to the writter on water or envelope.

the writer on paper or envelope.

The powder, which was in an ordinary, plain druggist's wrapper, bore no stamp.

Dr. Dean Richmond of the State Prison

was summoned by telephone and the powder was turned over to him for an-

RATE WAR EAST OF CHICAGO.

Michigan Central to Make Differentiats

read as follows:
Boston, June 19, 1905.

WINDSOR, Vt., June 21 .- By the first mail

DENY BRINSMADE WAS MAD

WHEN HE MARRIED JESSIE JONES, WHATEVER HE BE NOW.

She Tells Something More of His Honeymoon Eccentricities-His Counsel Will Endeavor to Show That She Married the Architect With Her Eyes Open.

From the cross-examination yesterday Mrs. Jessie M. Brinsmade, formerly the odor got so strong that McDonald Jessie Jones, art student, who is seeking armed with a lighted taper set out to find to have her marriage to Charles Lyman Brinsmade, architect, annulled on the When he opened the door of a closet in ground of his insanity, it became evident the basement there was an explosion that that it is the intenton of the defense to shook all the nearby buildings. The force of the explosion threw McDonald about fifteen feet, landing him with considerable force against a partition. The plate glass of the show windows was shattered and scattered about the entrance to the restaurant with the organization of the show windows. show that Brinsmade did not develop abnormal eccentricities until a year or more after the wedding, and was not, as she says, insane when they were married in February, 1898. Counsel for Brinsmade rant with the ornamental pies, canned goods and oyster shells. Old Annie, the laundress, who was at work in the base-ment, was knocked off her feet and so upset said vesterday that they were confident of satisfying both Justice Greenbaum and the jury that their client was in full possesby fright that for the first time in years she reported sick and went home. A dozen or sion of his senses at the time of the wedding, and that the bride had long been more diners fled, not even stopping to pay aware of such minor eccentricities as he Next door, at 302, is the Lyceum Music Hall. The rainy day audience bolted for the street and were followed in short order by the performers and the piano player. In Wienberg's hat store, at 306, a woman fell in a faint from fright. In the midst of the excitement McDonald, dazed and bruised, with his hands and face scorched with the hasement.

may have displayed.

William E. Delano, a Yale classmate of Brinsmade, testified that he and the defendant studied architecture in Paris together. Delano had often noticed Brinsmade. made's apparent inability to carry on an argument and his excitability and ner-vousness. One of his favorite beliefs was that to achieve success in art a student must go through poverty and privation.

When Delano visited the Brinsmades in their apartment in Paris he came to the conclusion that it was unsafe for Mrs. Brins-made to be alone with her husband while the latter was ill, so be used to sit up nights with latter was ill, so be used to sit up nights with
the sick man while the nurse siept. At one
time, he said, Brinsmade's only topic of conversation was the immorality of the French
people. At college, the witness said, Brinsmade was "intense and pigheaded."

Mrs. Brinsmade's cross-examination was
largely taken up with the reading of letters
she wrote to Brinsmade both before and
after the wedding. The majority of these
indicated that she was very much attached
to him, and was anxious that he should
succeed in his chosen career. In none of them

succeed in his chosen career. In none of them did she make any reference to his mental condition.

Questioned concerning his actions, she said that on the very day of the wedding she noticed that he was frothing at the mouth, but paid no particular attention to it at the time except to point it out to him. When they were about to start for Europe on their honeymoon he started out to buy the tickets, but returned without them. That frightened her, she said, but some one and for some years prior to 1880 was engaged as contractor for the harbor improvements at San Francisco. In the next five years he built \$18,000,000 worth of railroad in British Columbia for the Canadian Pacific, did some simular work in South Appearing and then returned to this country.

That frightened her, she said, but some one else bought the tickets later.

One thing she noticed before marriage was that he was very tacitum, and rarely spoke save when she addressed him. This

should go en pension she had to engage the rooms herself.

At the Ecole des Beaux Arts he passed the examination for architects, obtaining thirteenth place in a class of 283. The plans he drew for that examination were put in evidence. They are for an ornamental structure that does not seem to be architecturally eccentric.

On their return here, as the boat came up the bay, Mrs. Brinsmade testified, her husband waved his hand toward the shore and exclaimed: "This is the land I have come to conquer."

The trial will continue to-day.

The trial will continue to-day.

The trial will continue to-day.

-Grand Trunk to Go Lower. CHICAGO, June 21 .- A passenger rate war,

which will involve all the Eastern railroads, is imminent. To the Michiga Railroad the right to make

else bought the tickets later.

One thing she noticed before marriage was that he was very taciturn, and rarely spoke save when she addressed him. This peculiarity increased after marriage. When they got to Paris he took her to a very third rate hotel, and when she insisted that they should go en pension she had to engage the rooms herself.

At the Ecole des Beaux Arts he passed the examination for architects, obtaining thirteenth place in a class of 283. The plans he drew for that examination were put in evidence. They are for an ornamental structure that does not seem to be architected.

MEDICAL OPINIONS OF

LITHIA WATER

Experience "Fully Demonstrates the Value of Buffalo Lithia Water as a Solvent of Uric Acid and a Valuable Therapeutic Agent in the Treatment of Gout."

L. H. Warner, A. M., Ph. C., M. D., Brooklyn, N. Y. In a paper entitled "The Treatment of Gout, Uric Acid Diathesis and superinduced Cystits in the cases of two idiosyncratic Patients," gives full clinical notes of these interesting cases, and in a lecture before the recent meeting of the Alabama Medical Association showed stereopticon views of the blood and urine of these patients in different stages of improvement. He says: "My for-BUFFALO LITHIA WATER in cases of mer good results from the use of BUFFALO LITHIA WATER in cases of met good results from the use of BUFFALO LITHIA WATER he u matism due to Uric Acid intexteation as the results of mitrogenous foods was re-BUFFALO LITHIA WATER ordered to be taken. I was more than surprised at the amount of Uric Acid sand eliminated with each urination, and three weeks from the beginning of treatment not a trace of the former cystitis existed. BUFFALO LITHIA WATER cation used, we find an increase of 5% Haemoglobin. 200,000 red cells and a normal count of white cells while

ne appears without any pathological factors. These cases fully demon-the BUFFALO LITHIA WATER as a solvent of Uric Acid and of BUFFALO LITHIA WATER a valuable therapeutic agent

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Louis C. Korn. M. D., Ph. D., Professor of Diseases of Children and Derma. talogy in Baltimore Univer-Sufface Little WATER in my practice in nity, writes: "Having users bufface Little WATER in my practice in nine years, I find it the most pleasant and most reliable solvent in Chronic Inflammation of the Bladder and Renal Calcult; also in gouty and rheumatic conditions. It is a remedy of great potency."

"UNDER A DEBT OF GRATITUDE TO THIS MOST EXCELLENT WATER FOR WONDERFUL RELIEF."

Wm. C. Willo. A. M., M. D., LL. D., of Danbury, Conn., reports the following (New England Medical Monthly, December 15, 1888): "In a recent outbreak of Nephritic Colle in our own person, BUFFALO LITHIA WATER was speedlly cut the attack, under the debris which followed showed a thorough cleaning of the kidneys and bladder of all foreign substances. All of the reflex symptoms and sequelae were promptly relieved, and we feel under a deep debt of gratitude to this most excellent Water for wonderful relief." Voluminous medical testimony on request. For sale by the general drug and

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